

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civ. No. 13-630

2003 CESSNA LANCAIR AIRCRAFT SN:42009
TAIL NUMBER:N1800H,

Defendant,

and

PAUL CONNORS,
SHELLY CONNORS,
PJC DEVELOPMENT COMPANY,
THE MANCUSO GROUP, INC.,

Claimants.

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff states:

JURISDICTION AND VENUE

1. This is a civil action *in rem* for forfeiture of Defendant property which has been located and will be arrested by execution of a Warrant for Arrest in the District of New Mexico; and during the pendency of this action Defendant, or its equivalent or proceeds thereof, will be subject to the jurisdiction of this Court.

2. The United States District Court for the District of New Mexico has exclusive, original jurisdiction under 28 U.S.C. §§ 1345, 1355 and 1356.

3. Venue is proper under 28 U.S.C. §§ 1355 and 1395.

4. The "res" or property which is the subject of this action consists of 2003 Cessna Lancair Aircraft SN:42009 Tail Number:N1800H (hereafter referred to as "Defendant Aircraft").

PARTIES AND CLAIMANTS

5. The following persons may claim an interest in Defendant Currency:

- (a). Paul Connors,
- (b). Shelly Connors,
- (c). PJC Development Company,
- (d). The Mancuso Group, Inc.

FACTS

6. On October 16, 2012, the Air and Marine Operations center contacted the Customs and Border Protections (CBP) Air and Marine unit in San Angelo, Texas regarding a 2003 Cessna Lancair aircraft bearing tail number N1800H. CBP Air located the aircraft and contacted the Roosevelt County Sheriff's Department office in Portales, NM where the plane had landed. A Roosevelt County Sheriff's Department Deputy in Portales, NM made contact with the pilot Paul Connors. The Deputy observed that Connors' hands were shaking and his stomach visibly fluttered when he attempted to control his breathing. Moreover, Connors was hesitant in answering the officer's questions and made no eye contact with the officer.

7. A trained and certified drug detection canine was deployed around the aircraft. The canine alerted positively for the odor of illegal controlled substance(s) in the aircraft.

8. The Deputy obtained and executed a New Mexico state search warrant on the aircraft and found approximately 15 pounds of hydroponic marijuana.

9. Connors was arrested.


CLAIM FOR RELIEF

10. Defendant Aircraft is subject to arrest and forfeiture to Plaintiff under 21 U.S.C. § 881(a)(4) because it was used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession or concealment of illegal controlled substances.

WHEREFORE: Plaintiff seeks arrest of Defendant Aircraft and forfeiture of same to Plaintiff, determination of the validity and priority of claims of the Claimants and any Unknown Claimants to the Defendant Aircraft, costs and expenses of seizure and of this proceeding, and other proper relief.

Respectfully submitted,

KENNETH J. GONZALES
United States Attorney



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28 U.S.C. § 1746 DECLARATION

I am a Special Agent with the Department of Homeland Security who has read the contents of the Complaint for Forfeiture *In Rem* to which this Declaration is attached; and the statements contained in the complaint are true to the best of my knowledge and belief.

I declare under penalty of perjury and the laws of the United States of America that this Declaration is true and correct, except as to matters stated on information and belief, and as to those matters I believe them to be true.

Dated: July 8, 2013



Steven Lopez, Special Agent
Department of Homeland Security
U.S. Customs and Border Protection